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November 18, 2022

By ECF

The Honorable Kenneth M. Karas
United States District Court
Southern District of New York
300 Quarropas Street
White Plains, New York 10601

Re: *United States v. Spyros Panos*, No. 18 Cr. 581 (S.D.N.Y.)

Dear Judge Karas:

I write at the direction of chambers in support of at least temporary sealing of Dkt. 147. On November 14, 2022, I filed by ECF a *pro se* motion on Spyros Panos's behalf. (Dkt. 147). In the public filing I redacted all of the categories listed in Rule 5.2(a) of the Federal Rules of Civil Procedure and Rules 21.3 and 21.4 of the SDNY Electronic Case Filing Rules & Instructions.¹

¹ The following information is required to be redacted under Rule 21.3:

In all cases:

- Social Security Numbers: include only the last four digits of the number.
- Names of Minor Children: include only the initials of the child.
- Dates of Birth: include only the year.
- Financial Account #'s: include only the last four digits of these numbers.

In criminal cases:

- Home Addresses: include only the City and State.

The following information may be redacted under Rule 21.4:

- Personal identifying numbers (PIN #'s), such as a driver's license number

Hon. Kenneth M. Karas
Re: 18 Cr. 581

November 18, 2022
Page 2 of 2

Nevertheless, on November 16, counsel for the government requested that I further redact (1) the names of the peer review organizations (PROs), (2) the names of people associated with the PROs and (3) the name of the licensed physician whose personal identification information Panos pleaded guilty to using. Accordingly, I am requesting on the government's behalf that the filing be placed under seal at least temporarily while the Court rules on whether these three additional categories should be redacted from the public docket. The Court may wish to hear from the government further in support of this request.

I note that there is a presumption in favor of public access to documents in court files, the weight of which is "governed by the role of the material at issue in the exercise of Article III judicial power and the resultant value of such information to those monitoring the federal courts." *United States v. Amodeo*, 71 F.3d 1044, 1049 (2d Cir. 1995). Should the Court direct me to redact the three categories listed above, I will promptly re-file with the ordered redactions.

Respectfully submitted,



/s/ Ezra Spilke

cc: All counsel of record, by ECF
Spyros Panos, by U.S.P.S.

Mr. Spilke's request to have Dkt. 147 temporarily sealed is granted. Mr. Spilke may refile a version of the Motion that redacts all of the categories of information listed in this letter.

SO ORDERED.



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- Medical records, treatment, and diagnosis
 - Employment history
 - Individual financial information
 - Proprietary or trade secret information
 - Information regarding an individual's cooperation with the government.

11/18/2022